

Minutes of the February 27, 2017 Board of Emergency Medical Services Meeting

Dr. James Smith, Chairperson, called the meeting of the Board of Emergency Medical Services to order at 9:02 a.m. on Monday, February 27, 2017 in the Lighthouse Room at the Country Inn and Suites located at 5353 North 27th Street, Lincoln, NE. The meeting was duly publicized by distribution of the Notice of Meeting and Agenda at least ten (10) days prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services Division of Public Health at least twenty-four (24) hours prior to the meeting.

Dr. Smith announced that this is a public meeting and the Open Meetings Law is posted.

The following Board members were present at the meeting: Mike Bailey, Randy Boldt, Dr. John Bonta, Karen Bowlin, Joel Cerny, Dr. Thomas Deegan, Ann Fiala, Troy Hiemer, Linda Jensen, Charles LaFollette, Dr. Mike Miller, Carl Rennerfeldt, and Dr. James Smith.

Also present were: Dr. Tom Williams, Chief Medical Officer, Director Division of Public Health; Becky Wisell, Licensure Unit Administrator; Claire Covert-ByBee, Program Manager; Jacye LaFayette-Dymacek, Health Licensing Coordinator; Sue Medinger, Office of Emergency Health Systems Administrator; Tim Wilson, Program Manager; Dr. Eric Ernest, Emergency Medical Services Physician Medical Director; Lisa Anderson, Assistant Attorney General; Teresa Hampton, Department Legal Counsel; and Investigators Kathleen Krueger, Mark Meyerson, Jeff Newman and Dennis Scott.

Don Harmon and Scott Wiebe were absent from the meeting. Dr. Bonta left before the meeting adjourned.

After discussion, Mr. Hiemer moved, seconded by Mr. Bailey to adopt the agenda moving items 31 *Meeting with Governor's Staff* and 19 *EMS Rules and Regulations Committee Update* to follow item 4 *Rescheduling of September 2017 Board Meeting* and then continuing on with the rest of the agenda. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, and Smith. Voting nay: None. Absent: Harmon and Wiebe. Motion carried.

After discussion, Dr. Miller moved, seconded by Mr. Rennerfeldt to approve the December 16, 2016 meeting minutes changing the word "adopt" to "research" in the motion from the previous meeting, "After discussion, Mr. Wiebe moved, seconded by Mr. Bailey to adopt methods to allow EMTs to use a manually syringe-drawn and injected form of epinephrine." This change was made in order to clarify that the Board wants to explore options that will allow EMTs to use manually syringe-drawn and injected form of epinephrine. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, and Smith. Voting nay: None. Absent: Harmon and Wiebe. Motion carried.

The rescheduling of the September 2017 Board meeting was tabled pending the receipt of available dates from the conference center.

After Board approval to represent the interests of the Board in a meeting with the Governor's office, Dr. Smith, in addition to Dr. Tom Williams, Dr. Eric Ernest, and Tim Wilson met with Governor Ricketts' Chief of Staff, Matt Miltenberger, to discuss concerns regarding the 50 cents for Life funds and EMS. Discussion turned to looking at the sustainability and funding of EMS and the retention and recruitment of volunteers. An increase to the 50 cents for Life fund was identified as unlikely, but the discussion indicated the possibility of reallocating State General Funds for EMS should a solid legislative proposal be submitted by the Board before August 2017.

The Rules and Regulations Committee met several times to revise 172 NAC 12. These suggested revisions have been provided to the Board and Department for review and feedback. Based on information obtained during the meeting with Mr. Miltenberger, the probability was high that statute and regulation changes could occur at the same time. The Board is interested in adding categories regarding air ambulances, critical care paramedics, and community paramedicine. Ms. Hampton encouraged the Board to keep the statutes very broad and referenced the Medicine and Surgery Practice Act as an example. There was discussion regarding the level of responsibility placed on the physician medical director and the service in determining out-of-hospital emergency care provider skills.

Tim Wilson, Program Manager, shared that his office's name has changed from the EMS Trauma Program to the Office of Emergency Health Systems to incorporate all of the areas for which his office is responsible. Jackie Larrington, the Western Regional EMS Specialist resigned, and applications were being accepted to fill that vacancy. Approval was received to fill the position created by The Stroke System of Care Act (LB722) and interviews are planned for the second week in March. The primary function of the new position would be implementation of the Stroke System of Care Act. The Critical Incident Stress Management (CISM) program is undergoing changes such as creating one central telephone number to call when requesting CISM services as opposed to multiple regional numbers. Preparation for the third round of the LUCAS device distribution is underway. There are approximately 150 devices to distribute with a target distribution date of July 2017.

Wendy Snodgrass, EMS Education Compliance Manager, provided the EMS Training Agency Update. Ms. Snodgrass shared that a contract had been signed with **24/7 Fire & EMS** as a distributive learning program. Over nine hundred people have signed up for the program. The process for developing a workshop for EMS Instructors continues. The Leadership Academy Levels I & II are tentatively scheduled for the second to the last weekend in July in North Platte. The process for continuing education grant applications, tuition reimbursement add-on skills and conference grants is being revamped to make it more streamlined and efficient. There are four dates scheduled for the NREMT advanced level psychomotor skills examination in 2017. The application process to take the advanced level psychomotor NREMT skills test has been adjusted to put more of the responsibility on the training agencies and less on the Department. Information regarding some of the classes on naloxone training that were found online were shared with the Board. A request for Ideas on how to communicate information about trainings to services and providers was submitted to the Board.

Claire Covert-ByBee, Program Manager, provided the Licensure Unit Update. An example of the new template for regulation formatting was provided to the Board, along with a draft 172 NAC 11 in the new

template format. Approval was received to fill the EMS Licensure Specialist position. Interviews were scheduled to begin the first week in March. Licensure Unit staff were recognized for working together to complete AEMT, EMT-I, Paramedic, EMS Instructor, and ALS/BLS Service renewal as well as handling the day to day processing of new applications. Information was provided regarding proposed legislation currently being considered by the Nebraska Unicameral. A copy of the Application Processing Report was provided to the Board.

Dr. Eric Ernest, EMS Physician Medical Director, provided the Physician Medical Director Update. The REPLICA Project is an attempt to create a compact agreement nationwide to allow licensed individuals to cross states lines to assist during a local disaster that hasn't been declared a national disaster without being licensed in that state. Development of a Physician Medical Director course has been put on hold pending revision of the rules and regulations and to see what may be done to designate the certification of medical directors within the statute and regulation. There is support for moving from using the Cincinnati Stroke Scale to the Rapid Arterial occlusion Evaluation (RACE) Scale for Stroke Assessment as long as the education on early recognition and notification to hospitals continues.

After discussion, Dr. Miller moved, seconded by Ms. Bowlin to invite a representative to come to the next Board meeting to provide information regarding the REPLICA Project. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, and Smith. Voting nay: None. Motion carried.

Dr. Ernest shared that work continues on the development of a physician medical director's course. The goal is to have it completed by March. The National Association of State EMS Officials (NASEMSO) has developed some state model rules and regulations for air ambulance services, which may be useful as the Board continues work on the regulations. Dr. Ernest wanted to recognize Scott Wiebe and Lincoln Fire & Rescue for consistently reporting CARES data. Dr. Ernest reported that bill H.R. 4365, "Protecting Patient Access to Emergency Medications Act of 2016" was introduced during the 2015-2016 Federal Legislative session. The bill intended to allow EMS agencies to register as an entity authorized to dispense controlled substances. It was introduced in the House and passed, but was stalled in the Senate. There is hope at the national level to readdress the topic in the next Federal Legislative session.

On behalf of the Legislation and Regulations Committee, Mr. Cerny shared that Senator Blood made LB88 her priority bill meaning that it has a better chance of being passed this year.

There was no update from the Services and Providers Committee.

There was no update from the Education Committee.

On behalf of the Scope of Practice Committee, Ms. Fiala provided the final copy of the stroke protocol with the changes approved at the last meeting. Mr. Wilson was asked to share the results of an informal survey regarding the use of EpiPens by services. This survey highlights the financial burden to services which has caused some services to stop carrying them. There was general discussion regarding ways to change the way EMTs can administer epinephrine. The Committee has discussed altering the triage protocols to go from the JumpSTART method to the SALT (Sort, Assess, Lifesaving Interventions,

Treatment/Transport) method which is more refined and user friendly. Dr. Miller will provide information regarding the SALT method for the Board to review at the next meeting.

On behalf of the Trauma Board, Mr. Bailey shared that the next meeting will be on April 14, 2017 at 10:30 a.m. in Lincoln. There was nothing further to report.

On behalf of Emergency Medical Services for Children (EMSC), Dr. Deegan shared that they are changing the medium for pediatric education outreach from a telehealth system to a webinar based system. There have been connectivity issues with the telehealth system, and the webinar based system will allow EMSC to reach more individuals since it can be accessed at home instead of having to go to a central location. A survey will be developed for initial participants to evaluate this system. Debbie Kuhn is in the process of developing pediatric disaster kits as part of the EMSC grant. These kits will be a resource using wooden bears with scenarios to allow EMS to practice triaging. Also in development is a label to be used on car seats in the event of an accident that would list the child's name, contact information, and any medical conditions. The National Pediatric Readiness Project's assessment of hospitals is open online. There has been less participation in this round of the assessment than the first one. The Statewide Pediatric assessment for ambulance services will be open from May 1 to July 31. At least 80% participation is required to meet the EMSC grant performance measures. A group from Texas A&M University will be coming to Grand Island, NE to put on a pediatric disaster class October 6-7, 2017. The class is free with a charge for lunch.

On behalf of the Nebraska Emergency Medical Services Association (NEMSA), Deb Von Seggern shared that the annual convention will be held the third weekend in March in Columbus, Nebraska. The Board is encouraged to attend the general membership meeting. The NEMSA app was just launched. It can be found on google play and the Apple store. They also have a Facebook page which has over a million hits annually. A new lobbyist firm has been hired. The firm has been working hard to get the NEMSA Board engaged in legislative issues.

On behalf of the Nebraska State Volunteer Firefighters Association (NSVFA), Mr. Cerny shared that the NSVFA, along with the Fire Chiefs Association, has a leadership conference on March 17, in Norfolk, Nebraska. Michael Dwyer shared that Nebraska Fire School is being held May 19-21. On May 20 the Nebraska Danger football team is hosting a first responder night with free admission for anyone who shows identification as a first responder. Mr. Dwyer reminded the Board that the NSVFA is willing to help push out communications to their members as needed. The Legislative breakfast scheduled for January 2017 was canceled due to an ice storm. It has been combined with First Responder's Day on March 16. It starts at 8:30 a.m., with the Governor appearing at 8:45 a.m. This is an opportunity to raise awareness of EMS related issues. LB578 is a bill that would allow services who provide transport to increase the amounts that can be billed to Medicaid. This bill is supported by Lincoln Fire and Rescue and could potentially assist rural services. The Rural Health Advisory Commission publishes a report annually that has a significant amount of information regarding EMS. They have requested the NSVFA present information regarding the work being done to identify EMS as an essential service in the State of Nebraska and how it can be organized and funded.

Dr. Ernest and Mr. Wilson discussed the need for having a liaison at the Board meetings to represent dispatchers. Mr. Wilson will reach out to invite a member of the dispatch community to fill this role.

Dr. Smith requested the Strategic Planning Subcommittees to submit written reports regarding progress and goals for the Board to review at the April meeting.

There was nothing new to report from the EMS as an Essential Service Committee. The primary challenge continues to be identifying where sustainable funding will come from.

There was nothing new to report from the EMS Medical Direction Committee.

There was nothing new to report from the EMS Data Collection Committee.

There was nothing new to report from the EMS Workforce Committee.

There was nothing new to report from the EMS Education and Testing Committee. A request was made that the Board review the Executive Summary and Recommendations previously submitted by the Committee and provide feedback.

Ms. Covert-ByBee and Mr. Wilson met with DHHS Communications Office to talk about social networking and the options available to the Licensure Unit and the Office of Emergency Health Systems. Dr. Smith shared a desire to look into broadcasting the EMS Board meetings to allow members of the public better access to information being discussed by the Board.

The EMS Board will be scheduling open forums to be held at EMS Conferences already scheduled. The intent is to hold one in all three districts. A forum will be held Saturday, March 25 from 7:00 a.m. to 8:00 a.m. in Columbus, Nebraska at the 34th Annual NEMSA Convention. Another forum will be held during the Nebraska 38th Annual Statewide EMS Conference. This conference takes place July 14-16, and the specific forum time will be shared once it is scheduled. There were several options for holding a metro area forum. Information regarding time and place will be shared when available. Dr. Smith requested that the Department be contacted when the forums are scheduled so that information can be shared.

After discussion, Mr. Hiemer moved, seconded by Mr. Bailey to name Dr. Smith as Chairperson, Ms. Fiala as Vice-Chairperson, Mr. Wiebe as Secretary, and Dr. Bonta and Mr. Wiebe as Investigative Consultant. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, and Smith. Voting nay: None. Absent: Harmon and Wiebe. Motion carried.

After discussion, Mr. Rennerfeldt moved, seconded by Mr. Hiemer to update the Committee Assignments as follows: remove former Board members, add Mr. Bailey as the State Trauma Board Liaison, add Karen Bowlin as the NEMSA Liaison, and add Mike Miller to the Scope of Practice Committee. Voting aye: Bailey, Boldt, Bonta, Bowlin, Cerny, Deegan, Fiala, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, and Smith. Voting nay: None. Absent: Harmon and Wiebe. Motion carried.

The Board is required to inform the public each year the method by which it will provide notice of meetings. In the past, the Board has chosen to post meeting agendas at the Nebraska State Office Building, to email agendas to the interested parties list, and to post agendas on the Department's website. Mr. Boldt moved, seconded by Ms. Bowlin to continue the same method. Voting aye: Bailey, Boldt, Bonta, Cerny, Deegan, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, and Smith. Voting nay: None. Absent: Fiala, Harmon, and Smith. Motion carried.

During a discussion regarding LB644, Dr. Smith thanked all the individuals who came to testify at the committee hearing. He shared that, before testimony began, Senator Murante stated it was the Government, Military and Veteran's Affairs Committee's intention to remove the EMS Board and CISM from LB644. Testimony continued to be received as the amendment had not been introduced or approved. There were questions regarding how the EMS Board was recommended for elimination. Ms. Wisell shared that, although the Boards and Commissions Survey, a public document, appeared to indicate that the recommendation to eliminate the EMS Board came from Ms. Covert-ByBee, the original document submitted by Ms. Covert-ByBee and the Licensure Unit did not include that language. A clerical error was made during the compilation of surveys submitted from all six divisions of the Department of Health and Human Services which resulted in wording being added. Dr. Smith added that it was clear from the formatting that cutting and pasting had occurred on the document in question.

After discussion, the Board meeting originally scheduled on September 22 will be changed to September 11, 2017 to accommodate meeting space availability.

Ms. Covert-ByBee shared information regarding Neb. Rev. Stat. § 84-901.04 and the ability to change regulations in an emergency which was requested at the last Board meeting during a discussion about alternative methods of providing epinephrine to patients.

A discussion was held regarding the Emergency Medical Service initial inspection process. Board members expressed their concerns regarding the reassignment of inspection duties from Board members to Department staff. The Department will look into options to be discussed at the next Board meeting.

Dr. Miller shared information regarding the NREMT Scenario Workshop for informational purposes only.

Mr. Wilson shared information regarding the NASEMSO Air Medical Committee protocol templates for informational purposes only.

Ms. Covert-ByBee shared information regarding HRSA funding for informational purposes only.

Topics for the next meeting include the service inspection process, the annual strategic planning committee updates, REPLICA, revisions to 172 NAC 12, SALT, and instructor licensing. If any Board member has other information to be discussed, please submit it to Ms. LaFayette-Dymacek at least 15 working days prior to the meeting.

CLOSED SESSION

Dr. Miller moved, seconded by Mr. Rennerfeldt to go into closed session at 12:18 p.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Bailey, Boldt, Bowlin, Cerny, Deegan, Fiala, Hiemer, Jensen, LaFollette, Miller, and Rennerfeldt. Voting nay: None. Absent: Bonta, Harmon, and Wiebe. Motion carried.

Mr. Rennerfeldt moved, seconded by Mr. Cerny to return to open session at 1:20 p.m. Voting aye: Bailey, Bowlin, Cerny, Deegan, Fiala, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, and Smith. Voting nay: None. Absent: Bonta, Bowlin, Harmon, and Wiebe. Motion carried.

DECISIONS

Mr. Hiemer moved, seconded by Mr. Bailey to issue **REACH Air Medical Services, LLC** a license to operate as an Advanced Life Support Transport Service in the State of Nebraska. Voting aye: Bailey, Boldt, Cerny, Deegan, Fiala, Hiemer, Jensen, LaFollette, Miller, Rennerfeldt, and Smith. Voting nay: None. Abstaining: Bowlin. Absent: Bonta, Harmon, and Wiebe. Motion carried.

ADJOURNMENT

There being no further business, the meeting adjourned at 1:23 p.m.

Respectfully submitted,

Scott Wiebe, Secretary